

REPORT OF THE COMMITTEE ON ZONING AND PLANNING

Voting Members:

Brandon J.C. Elefante, Chair; Esther Kia'āina, Vice-Chair;
Radiant Cordero, Calvin K.Y. Say

Committee Meeting Held
March 3, 2022

ADVANCE COPY

Honorable Tommy Waters
Chair, City Council
City and County of Honolulu

Mr. Chair:

Your Committee on Zoning and Planning, which considered Resolution 21-279 entitled:

"RESOLUTION CONFIRMING THE APPOINTMENT OF
MR. SCOTT INATSUKA TO SERVE ON THE BUILDING BOARD OF APPEALS
OF THE CITY AND COUNTY OF HONOLULU,"

introduced on December 17, 2021, reports as follows:

The purpose of the Resolution is to confirm the appointment of Mr. Scott Inatsuka to serve on the Building Board of Appeals of the City and County of Honolulu (the "BBA") for a term to expire on December 31, 2026. The Mayor has requested Council confirmation of Mr. Inatsuka's the appointment by Mayor's Message 181 (2021).

A public hearing on Mr. Inatsuka's appointment was held at the City Council meeting of January 26, 2022.

At your Committee's meeting on March 3, 2022, Mr. Inatsuka provided information on his background, expressed his willingness to serve on the BBA, and responded to questions from Councilmembers.

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ADOPTED ON _____

COMMITTEE REPORT NO. 50

REPORT OF THE COMMITTEE ON ZONING AND PLANNING

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The Director of the Department of Planning and Permitting ("DPP") testified in support of the Resolution. The DPP Director disclosed that he submitted a Disclosure of Conflict of Interest Statement form to the Ethics Commission because he and Mr. Inatsuka are first cousins. The Ethics Commission recommends that since the BBA hears appeals from decisions of the Building Official (defined as the DPP Director), DPP staff members should appear before the BBA on behalf of the DPP Director to eliminate any perceived conflict of interest.

Your Committee received no oral or written public testimony on the Resolution.

Your Committee has prepared a CD1 version of the Resolution that makes the following amendments:

- A. Moves the fifth WHEREAS clause, regarding engineer and architect license qualifications for four members of the Building Board of Appeals, to be the third WHEREAS clause.
- B. Throughout the Resolution, updates references to the ROH provision establishing the Building Board of Appeals, its membership, and duties (currently ROH Section 16-1.1(14)).
- C. In Item (1) of the second WHEREAS clause, clarifies that the Building Board of Appeals also hears and determines appeals of decisions regarding the administration of the Energy Code.
- D. In the renumbered fourth WHEREAS clause:
 - 1. Adds a reference to Mayor's Message 181 (2021), dated December 9, 2021; and

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CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ADOPTED ON _____

COMMITTEE REPORT NO. 50

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2. Clarifies that the Mayor has appointed Mr. Scott Inatsuka to replace Mr. Randolph Tamayo, whose term expired on December 31, 2016, and who served as a holdover member until December 31, 2021.

- E. Makes miscellaneous technical and nonsubstantive amendments.

Your Committee finds that Mr. Inatsuka meets the qualifications required to serve as a member of the Building Board of Appeals.

Your Committee on Zoning and Planning is in accord with the intent and purpose of Resolution 21-279, as amended herein, and recommends its adoption in the form attached hereto as Resolution 21-279, CD1. (Ayes: Cordero, Elefante, Say ~ 3; Noes: None; Excused: Kia'āina - 1.)

Respectfully submitted,



Committee Chair

CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ADOPTED ON _____

COMMITTEE REPORT NO. 50



RESOLUTION

CONFIRMING THE APPOINTMENT OF MR. SCOTT INATSUKA TO SERVE ON THE BUILDING BOARD OF APPEALS OF THE CITY AND COUNTY OF HONOLULU.

WHEREAS, Section 16-1.1(14), Revised Ordinances of Honolulu 1990 ("ROH"), establishes the Building Board of Appeals consisting of nine members who are appointed by the Mayor and confirmed by the Council of the City and County of Honolulu ("Council") to five-year terms; and

WHEREAS, ROH Section 16-1.1(14) provides that the Building Board of Appeals has the duties of hearing and determining the following:

- (1) Appeals of decisions regarding the administration of the Building Code, Electrical Code, Plumbing Code, Housing Code, Fire Code, Energy Code, Building Energy Efficiency Standards, and the building permit ordinance;
- (2) Petitions for variances from the Building Code, Electrical Code, Plumbing Code, Fire Code, and Building Energy Efficiency Standards;
- (3) Appeals of decisions regarding the administrative enforcement of the litter control ordinance; and
- (4) Appeals concerning the summary removal of unlawful signs from street rights-of-way and public malls; and

WHEREAS, ROH Section 16-1.1(14) establishes a general qualification requiring four members of the Building Board of Appeals to be "currently licensed as engineers or architects with the State of Hawaii board of registration of professional engineers, architects, land surveyors, and landscape architects"; and

WHEREAS, by Mayor's Message 181 (2021), dated December 9, 2021, the Mayor has appointed Mr. Scott Inatsuka to the Building Board of Appeals, to replace Mr. Randolph Tamayo, whose term expired on December 31, 2016, and who served as a holdover member until December 31, 2021; and

WHEREAS, if confirmed by the Council, Mr. Scott Inatsuka will serve as one of the Engineer/Architect members on the Building Board of Appeals and will serve for a term to expire on December 31, 2026; and



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

No. 21-279, CD1

RESOLUTION

WHEREAS, Section 13-103, Revised Charter of the City and County of Honolulu 1973 (Amended 2017 Edition), as amended, which applies to the Building Board of Appeals, requires a member to be a registered voter of the City and County of Honolulu; and

WHEREAS, the Council has reviewed the qualifications and character of Mr. Scott Inatsuka and finds that he meets the requirements to serve on the Building Board of Appeals and deserves confirmation; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that it confirms the appointment of Mr. Scott Inatsuka to the Building Board of Appeals for a term to expire on December 31, 2026; and

BE IT FURTHER RESOLVED that the Council expresses its gratitude and appreciation to Mr. Scott Inatsuka for his commitment and willingness to serve the City and County of Honolulu; and

BE IT FINALLY RESOLVED that copies of this resolution be transmitted to the Mayor, the Chair of the Building Board of Appeals, the Director of Planning and Permitting, and Mr. Scott Inatsuka.

INTRODUCED BY:

Tommy Waters (br)

DATE OF INTRODUCTION:

December 17, 2021

Honolulu, Hawai'i

Councilmembers